SMITH'S REPORT

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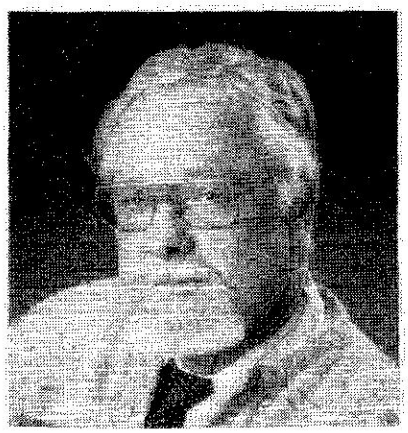

This report informs you of what I am doing personally, along with friends and supporters, to promote open debate on the Holocaust story. It does not attempt to monitor the Revisionist movement. Smith's Report is published six times a year and is sent free to those of you who help me with contributions, press clippings, or with other information or in other ways. It isn't possible for me to do this work effectively without your help.

I welcome correspondence but can not reply to it unless it urgently addresses business to hand. If you do not want your name mentioned herein please say so in writing. Your generosity is the cornerstone of the successes I have had, and those I will continue to have, in helping to focus the light of free inquiry and open debate onto the Holocaust story, which it sorely needs.

Issue Number 8 November/December 1991

Greetings:

There's lot's of good news with this issue of Smith's Report. The Campus Project went into orbit in October and has quickly become a great success, with no end in sight. There is so much news and so much is being written about it that I won't possibly be able to get it all in here. I will have packages of clippings made up and those of you who are interested can ask me to send them along. The enclosed leaflet titled "THE HOLOCAUST CONTROVERSY: The Case for Open Debate," contains the text of the full page article/ad that we have published at Michigan, Duke, Cornell and Northern Illinois.

First Amendment scholar comments on ad

Shai Tsur
Daily Texan Staff

Newspapers have the right to refuse publication of advertising, but they must be consistent in their decisions, a prominent First Amendment scholar said Monday.

Alan Dershowitz, professor of law at Harvard University, said an advertisement submitted to college newspapers around the country entitled "The Holocaust Controversy: The Case for Open Debate," is anti-Semitic and false, but highlights the issues of Holocaust denial as well as the newspapers' responsibility for advertising.

"This is a national campaign that they're attempting to run," Dershowitz said of the advertisement, which is sponsored by The Committee for Open Debate on the Holocaust. He noted that it has a large financial backing, some coming from neo-Nazi sources.

Dershowitz also questioned the credibility of the advertisement's author, Bradley Smith.

"[Smith] has no historical credibility whatsoever. He's a known anti-Semite and an anti-black racist with phony credentials," Dershowitz said. The advertisement claims that Nazi Germany did not systematically kill Jews and that the Holocaust has been exaggerated by Zionist interest groups. It was submitted to run in *The Daily Texan* and is currently up for review by the Texas Student Publications Board of Operating Trustees.

"[Bradley Smith] has no historical credibility whatsoever. He's a known anti-Semite and an anti-black racist with phony credentials."

— Alan Dershowitz, Harvard law professor

The decision will be made at the TSP Board meeting Tuesday.

Dershowitz said that in choosing whether to run the ads, newspapers should follow whatever pre-existing standards they might have for advertising.

"I've been asked by about 30 papers on this and what has been my position on this is that if you run this you also have to be ready to run an ad saying that blacks are racially inferior or that women deserve to be raped."

He dismissed any claims that the issue at hand is free speech. "The issue here is a consistency one," Dershowitz said. "There are no free speech issues in an ad."

The professor dismissed Smith's claim that his ad was intended merely to foster free speech, instead saying the ad was "trying to brainwash students into believing this nonsense [of Holocaust denial]." Dershowitz said the ad was "demonstrably false," akin to claiming the slavery of blacks or the internment of Japanese-Americans never existed.

"A newspaper has complete freedom to run or not to run an ad," he explained. "If you're going by [pre-existing] standards, this one can't pass. It's unacceptable to run this

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Dershowitz

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one and not run another one [of equal controversiality]."

The advertisement in question links Holocaust denial to the political correctness debate on campus. Dershowitz said he did not believe the two issues were connected — that Holocaust revision is a historical issue which has little to do with free speech.

"They're being smart. They're trying to fit into the current voguish thought. This isn't political correctness. This is not in the realm of acceptable discussion. Rather, it's an issue of historical demonstrability."

He said he had been to Auschwitz and seen the gas chambers there. The Smith ad claims that no gas chambers existed at Auschwitz.

Dershowitz said he didn't believe the ads would cause much damage. "The marketplace of ideas will survive this garbage," he said, noting that he is using the issue as a teaching tool in his classes. "They won't survive. I find the best thing to do is to expose them."

An ad which Dershowitz attempted to run in *The Wall Street Journal* defending client Michael Levine was recently turned down by that newspaper.

The Daily Texan, University of Texas, Austin.

The Alan Dershowitz quote is what greeted me on a Tuesday morning when David Cole and I stopped by the UT campus to pick up our first copy of the Texan. David is the young professional video editor who has associated himself with CODOH to help get the Video Project moving. The background to our being in Texas is this.

"The Holocaust Controversy" ad was to have run in the Texan on Wednesday 20 November. The advertising manager had accepted it on sight. But one student protested the ad so it went before a review committee of three members, which refused to overturn the ad manager's decision to run it. I was informed then that the ad would run on Friday 22 November. When I checked by telephone however on Thursday evening I was told that the decision of the review committee had been appealed by a number of individuals on the editorial staff of the Texan and by other campus organizations. My sense of things was that there was a ground swell of sentiment building on the campus to suppress the ad.

Now the ad was going to be reviewed on Tuesday 26 November by the full Texas Student Publications' Board of Trustees. That Board, made up of faculty, students and professional journalists, would have 21 members, 11 of which would vote and 10 who would not. The review would take place at an open hearing in the LBJ room of the U. Texas Communications building. To be published at Texas could be very important to the Project. There are 53,000 students at the campus and the paper could easily have 75,000 readers. I decided I should be there. I made a couple phone calls to raise enough money to cover expenses and booked my flight.

David Cole and I talked it over and we decided that he whould go too, that he would pay for his roundtrip ticket, and that we would try to make a video tape of the proceedings. First we had to find out if that would be allowed. David took care of those arrangements, booked his own tickets at his own expense and we arrived, by different flights, in Austin the afternoon of Monday the 25th. David had also made arrangements for us to go into the editorial offices of the Texan that evening to introduce ourselves and give and get interviews. Now that we were there, however, we were told that we were not to go in but that a Texan reporter would interview me by telephone.

I had sent press releases to Austin print and electronic media, but none had responded. It was possible that we would have spent more than $1,000 between us and that we weren't going to be able to make our presence known in Austin before the hearing took place. We had only that Monday night, and the next day, for the hearing would be at 6PM on Tuesday. Nevertheless, there we were. At about 7PM two young ladies from the Texan rang us up and interviewed me -- and our work was finished for that night.

The next morning we drove by the campus to pick up a copy of the Texan. There were two stories about the Controversy on the front page and a well-written editorial recommending it not be published. The lead article on page one was based on the interview I had given the night before and it was well written and fair. Just below it was the interview with "First Amendment scholar," Alan Dershowitz.

Dershowitz resembles one of these "idiot-savants" who does one thing exceptionally well, in this case manipulating the law, and for the rest of it he doesn't appear to have brains enough to pound sand down a rat hole. How he can charge me with having "phony credentials" is beyond me. I don't have ANY credentials, and I've never claimed any. So far as anti-black racism goes, in all the stuff I've

written over the last 20 years I've never written a word on that issue. It can't even be argued. It's a complete invention. This is how *chutzpa* Nazis operate. They make any accusation that comes to mind, confident that media won't try to find out the truth of the matter. The charge of anti-Semitism is at least understandable in this society where "fear of the Jews" rules media and academia.

With two front-page stories and an editorial in the Texan, our situation had changed. Most of our work was done. Now all we had to do was to make sure that the 21 members on the Board of Trustees would have the text of the article itself, some background on CODOH, and a discussion of First Amendment principles for newspapers funded in part by the citizenry. We went to a Kinko's copy shop and made up 50 sets of such a package, stapled it all together and took it to the Texas offices. We were assured that all those on the Board would be given a copy of the package. At the same time, we faxed a second press release from Kinkos to local off-campus media and we were done. We returned to our motel and waited.

It wasn't long before we got a call from KVBN-TV, the Austin ABC affiliate, asking for an interview. At 4PM we drove to downtown Austin and did the interview. While the studio taped me, David taped them and me together. We left our rented car at the station parking lot and took a taxi to the campus. I didn't want to risk having something happen to a new car. We were early so that David could set up his video equipment. The crowd didn't begin to appear until almost 6PM, the time the meeting was to begin. I had gone out for a walk to collect my thoughts. I was surprised to discover that no one really wanted to talk to me. There were to be eight speakers before the Board, four against and four in favor of publishing the ad. Each speaker would be limited to three minutes. I felt myself at a loss as to what I could say about ten years work in three minutes before what I supposed would be an unfriendly room.

When I returned to the LBJ room KVBN-TV and KTBC-TV crews had set up their cameras. The room was full of Jewish kids and faculty. David was selling Revisionism to whoever would listen. He's Jewish himself and people were looking at him askance. He was on a roll. A couple students introduced themselves to me and we talked a bit. Then the hearing began. One was a nice kid named Monte Roszenzweig. I recall his name because Monte struck me as unique as a name. I was to speak seventh. The first student who spoke, name of Kaplan, condemned the ad and me. The second, a Black who is on the editorial staff of the Texan, condemned me but urged publishing the ad in the spirit of a free exchange of ideas. I didn't catch his name. I was trying to get his name from the man sitting in front of me but he wouldn't talk to me. It turned out later he was the Hillel rabbi. I dropped my jacket and all my papers on the floor and when I was down on my hands and knees picking it all up I was told it was my time to speak.

I had been mulling over the idea of pointing out that the audience was not representative of the campus population, that the room was 90 percent Jewish, and that there was a not so secret agenda that was going to be pushed. When I got to the podium my eyes suddenly glazed over and my mind went blank. I didn't know if I was in Texas or the Australian outback. I didn't have a clue as to what I wanted to say. I complained about the Dershowitz quote being on the front page of the Texan that day. I said he was a de facto spokesman for the Holocaust Lobby Smear Bund. A small Jewish-looking lady on the Board looked stricken. I said something about truth being good for Jews too, not just for the rest of us. From there on it was all downhill. I didn't use my three minutes. I figured I'd done enough damage. I've been in the habit all these years of winging these kinds of appearances, and I've always been pretty good at it, but this was the night it didn't work.

So I returned to my seat and listened to my work and the ad and myself condemned time after time in the harshest way. A couple of the students ridiculed my performance with good one-liners. There were about 150 seats in the room. They were all full and another 50 or so people were crowding in all around me in the back where I was sitting. They were nearly all Jews. Somehow, the rules as I understood them, were changed, and student after student, one faculty member after another, went to the podium to charge me with being a bigot and liar. Twenty, maybe 25 people spoke, all of them condemning me, even the four or five who supported publishing the ad in spite of it being false and anti-Semitic. Somehow, none of what the others said bothered me much. But I was pretty disappointed with my own performance, and I had no way to excuse it.

Meanwhile, David was video-taping the entire session from a good vantage point. When all the speakers had finished, the Board had an open discussion. It was clear that a great majority were against publishing. My appearance could not have

helped and could well have damaged its prospects. The Board had to raise seven of its eleven votes to override the decision of the original review committee to publish. In the event, only six voted to override the decision to publish, five to not override, so it was announced that the ad was to be published. Afterwards, David told me he had been certain that publication would be voted down.

A cry of dissent rose in the room. People couldn't believe it. The rabbi went to the podium and began lecturing the Board. I was wondering what was going to go down next, but the crowd, despite their surprise and anger at the Board's decision, behaved well. No one attacked me, and only three persons went out of their way to insult me, each of them a woman. A friend of a friend had attended the hearing and now David got his equipment together and we all went out to a terrific place in downtown Austin to drink a beer and eat nachos. And the night was over.

So, in spite of my performance at the hearing itself, the ad is to be published, and we have the entire affair of video tape. I learned that in similar affairs that might come up there may be no role for me to play in them personally, and that if there is I have to fit what I do into the form provided me by the institution. The procedures in place at Texas leave no room for an outsider to come in and make any substantial contribution at the hearing itself. It may well be the same or rather the same at other universities. Except for local radio and TV coverage, I can do pretty much what I did at U. of Texas by fax and UPS. I have a much better sense of how these affairs go down now that I did before. As far as my own performance at the hearing goes, I have to eat that. That's what they call life.

The Michigan Daily, The University of Michigan at Ann Arbor. The ad was published 24 October and the fall out is still coming in. James Durderstadt, President of the university, felt it necessary to condemn me personally. A protest rally involving hundreds of students and covered by three Detroit TV stations took place. I have been interviewed by the Lansing State Journal and two radio stations. Students and off-campus people are writing for information on Revisionism, students are passing out Revisionist leaflets on campus, and The Labadie collection of radical protest literature, housed in the University library, has written asking to include CODOH's publications in its collection.

The Chronicle, Duke University in Durham NC. Published 5 November, the protests at Duke reached the national edition of the New York Times on 10 November. Reporters for the Associated Press and the Jewish Telegraphic Agency interviewed me. The editor of The Chronicle wrote a stunning editorial supporting the right to publish controversial advertisements and the obligation of newspapers to publish them. The Duke history department unanimously signed a full page denunciation of the CODOH ad. The Chronicle received so many letters it had to devote two full extra pages just to publish a representative cross section of them. Reporters from Durham Herald Sun, the Daily Tar Heel (the student paper at the University of North Carolina at Chapel Hill), Raleigh News and Observer, and the Greensboro News and Record interviewed me.

I've been interviewed by the Chronicle of Higher Education in Washington D.C. and they plan to do a serries of three articles on the CODOH's Campus Project. The Washington Chronicle is a national weekly that posts employment positions available for university administration and faculty. The wire stories caused three Fresno TV stations to send crews to my house to interview me, and they supplied other TV stations around the country with tapes of the interviews. I've been interviewed by the Fresno Bee and the Visalia Times Delta (my hometown paper).

The Northern Star, Northern Illinois University at DeKalb. The ad was published here on Friday 11 November. I didn't hear anything one way or the other and I didn't get any hate calls, so I figured that the Northern Star didn't run the ad. When I didn't get my cashier's check back in the mail I called to find out what the story was and discovered that the Star had run the ad on 11 November, just as I had requested, and that the campus has been in turmoil ever since.

The Star has been attacked viciously. The story is in the paper every day. One of the sales reps told me he was sick of the whole affair. They had no idea of what would go down. I'm just beginning to get clippings from there. One is of a terrific column by a philosophy professor explaining with careful logic why the Star was obligated to run the ad on First Amendment grounds. It was this article, faxed to me at the last minute while I was at Austin, that I included with the package I distributed to the Texan board members.

The Daily Sun, Cornell University, Ithaca NY. Cornell published the ad 18 November. Cornell is an Ivy League college, so it plays an important role

in the distribution of the ad's text among that particular class of student. The Sun has covered the resulting uproar under these headlines:

"Unpopular Free Speech (editorial supporting publishing the ad);" "Ad denying Existence of Holocaust Triggers Controversy at Universities (fairly objective history of Campus Project);" "Hating Holocaust Revisionism (column decrying ad);" "Responding to the Holocaust Ad (letters decrying publication);" "Truth, History and Consequences (column decrying the ad);" "Letters" from German Studies faculty decrying the ad; "Students Protest Smith Ad Calling Holocaust a Myth;" "Talk on Anti-Semitism Includes Attack of Sun (news story about meeting of Cornell's Peer Educators program);" "Solidarity Sabbath at the Center for Jewish Learning (announcement of dinner to protest insidious Smith advertisement);" "Refuting Lies (editorial decrying ad);" "Rally Against Revisionism (poster announcing protest rally on 19 November);" "400 Rally at CU to Protest Daily Sun Ad."

Those make up the clippings I have received to date from the first week after publication. There's that many more in the mail.

I've heard from a private source that our (sometimes) First Amendment maven, Nat Hentoff, writer for the New York Village Voice and whose columns are frequently picked up by papers such as The Washington Post, Wall Street Journal and others turned his eye on this story when it appeared at Duke. By this time he is certainly aware of what's going on at Cornell as well. My excerpt from The (Second) Enlarged edition of Confessions tells about Nat's fascination with the Jewish-soap scam; not in a way that is very flattering for him. Let's wait and see how Nat handles this great Free Press issue. It's not going to be easy for him, but I think he will do the honorable thing, now that he rather has to make a decision.

Several papers may publish the ad while this newsletter is at the printers. The Daily Californian, the University of California at Berkeley, is one of the papers that refused the ad. Andrew Allen, a civil litigation lawyer in the Bay area, has spoken with Steve Marcowitz, the Daily's editor-in-chief. According to an article in the Northern California Jewish Bulletin, while the ad department accepted the ad on sight, the editorial board refused it in a vote of two in favor to four against. The rumor is that they are going to reconsider running the ad at a Sunday evening meeting on 3 December. Markowitz, himself Jewish, voted to publish on First Amendment grounds. A number of editorial staff on the various papers that have published the ad are young Jews who took an honorable and courageous stand on this issue. They're not going to get any thanks for it either.

Something is brewing at the Minnesota Daily at University of Minnesota. The Daily refused to run the ad until it has reconsidered its guidelines for running controversial materials. So publication is in abeyance. It's editor, Blake Morrison, interviewed me last week and published a good article about the issues.

The Daily Bruin at the University of California at Los Angeles refused the ad after much soul searching, employing at the end the Judge Johnson ruling in the 1985 IHR\Mermelstin case where he took "judicial notice" of the fact that the "holocaust" happened and that it can not be argued reasonably that the Germans did not kill six million Jews.

THE VIDEO PROJECT

As the last Report went to the printers I was off to Los Angeles to do a video at Radio Free Venice. It was a real rough house affair, an in-studio round table with four Jews and four Gentiles (including myself and Tom Reveille, manager of the station) and a number of callers. But there was an extra unusual twist to the affair. One of the Jews, a Romanian-Israeli, is a hard core free press advocate and got enraged at any suggestion that Revisionism should be suppressed. Another is a young, hard core Holocaust Revisionist who I've been acquainted with for some time, and as a matter of fact he is David Cole, CODOH's video man. David is a cool headed young fellow but his mere presence was an affront to some of the others. There were so many hot tempers flying around the room that after three and a half hours of it, when it looked like a fist fight was imminent, I decided to stop the show.

We have the entire affair on tape. We've edited it once but haven't got it right. Venice being what Venice is, we were too informal in directing the affair, which I have to take full responsibility for. I won't make the same mistake again. Tom has indicated that he is open to our doing another Revisionist round table there. If we get this tape into some kind of reasonable shape I'll inform you in these pages.

With regard to the video taping of the Mermelstein trial and the events surrounding it, which was our primarily plan for September/October, the project rather fell through when Mermelstein and his people caved in after six days of trial, before jury selection had even begun, and without our being able to set up the video camera in the courtroom itself. It had become clear during the proceedings that Mermelstein could not defend himself against the charges I had leveled at him back in a 1985 issue of the IHR Newsletter. IHR had simply produced too much evidence to support my charges that Mermelstein is, in fact, a "vainglorious prevaricator" and an intellectual "fraud." Great news for IHR, and for Revisionism, but bad news for the video project. We have substantial on-camera interviews with Mark Lane, William Hulsey, Tom Marcellus, Mark Weber and some additional materials. Technically, the Mermelstein people can still appeal a parallel second case against IHR for malicious prosecution that the judge himself dismissed as worthless.

As luck would have it, however, the University of Texas business came up all a sudden, and when we flew back there David got the entire affair on tape. While I still haven't seen it, David has, and he tells me that it's all there, that the light and sound are both good. It's not a movie. It's a straight forward, behind the scenes record of the in-studio interview at KVBN -- maybe 15 to 20 minutes -- then the Open Hearing before the Board of Trustees of the Daily Texan. When we have it duplicated we'll be able to distribute it -- for your information. You'll have the opportunity of watching 20 or 30 people from every kind of background condemn me, my article and Holocaust revisionism from every imaginable point of view, right before your eyes.

BUSINESS

A project of this quality needs a substantial amount of money. The ad for the Michigan Daily, for example, cost $1,045. The Cornell Daily Sun $415, the Duke Chronicle $555. I raised money to cover those expenses from a handful of supporters. Every donation helps. We couldn't buy the kind of exposure we're getting for the Holocaust Controversy for a hundred times the money we're actually spending. This is a project that suits my talents and abilities, I feel a lot of enthusiasm for it and it looks like it can be a great success.

Now is the time when your support can prove to be unusually beneficial in spreading the good news of Holocaust revisionism. This Campus Project is already the most successful Revisionist outreach program that has ever gotten off the ground in the U.S., and I believe that we are just at the beginning of it.

Magaly has decided that she can no longer allow herself to be represented here in a lowly high school photograph, so she's giving herself a new updated look suitable for 1992.

If you want to read over the newspaper accounts of the Holocaust Controversy at Michigan, Duke, Northern Illinois or Cornell, we'll send them along to you in a folder. There's 20 to 30 pages and more available from each school, with no sign of it dropping off. Fascinating, current reading. It costs about 10 cents per page to copy and handle, plus postage. Your contribution to the Campus Project above these costs will be very much appreciated.

The enclosed leaflet titled "THE HOLOCAUST CONTROVERSY: The Case for Open Debate" (dated 1191 on the final line) is the text we are using in the ad. The published ad includes the solicitation for funds at the end of it. We want to develop new supporters, find new sources of funding for the Project. Until that begins to develop, I will continue to depend on those of you who have helped in the past. We're on the side of the angels with this one. All we ask is that the Holocaust story be opened to free inquiry and a free exchange of ideas. Once that's accomplished we'll let the cards fall where they may.

In any event, I thank all of you who have contributed to this work over the past year, I wish you a fine Christmas and holiday season, and I wish all of us together good luck in the coming year.

Bart Wirken

Bradley